

031104

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>Only for new nonprovisional applications under 37 CFR 1.53(b)</small> APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents		Attorney Docket No. 16660 First Inventor or Application Identifier C. David Gordon Title Toothbrush Assembly with Toothpaste Dispenser Express Mail Label No. EV 329824687 US																									
1. <input checked="" type="checkbox"/> *Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. <i>(See 37 CFR 1.27)</i> 3. <input checked="" type="checkbox"/> Specification [Total Pages <u>11</u> ] <i>(preferred arrangement set forth below)</i> — Descriptive title of the Invention — Cross References to Related Applications — Statement Regarding Fed sponsored R&D — Reference to sequence listing, a table, or a computer program listing appendix — Background of the Invention — Brief Summary of the Invention — Brief Description of the Drawings <i>(if filed)</i> — Detailed Description — Claim(s) — Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets <u>4</u> ] 5. Oath or Declaration [Total Pages <u>2</u> ] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <i>[Note Box 5 below]</i> <b>DELETION OF INVENTORS</b> i. <input type="checkbox"/> Signed statement attached deleting inventor(s) named in the prior application, see CFR §§ 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statement verifying identity of above copies <b>ACCOMPANYING APPLICATION PARTS</b> 9. <input type="checkbox"/> Assignment Papers (cover sheet & documents) 10. <input type="checkbox"/> 37 CFR §3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> . 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input type="checkbox"/> Request and Certificate under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent 17. <input type="checkbox"/> Other: _____																									
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP)    of prior Application No. <u>10 / 420,384</u> Prior application information: Examiner <u>D. Walczak</u> Group/Art Unit <u>3751</u> For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.																											
<b>19. CORRESPONDENCE ADDRESS</b>																											
<input checked="" type="checkbox"/> Customer Number or Bar Code Label    or <input type="checkbox"/> Correspondence address below <div style="text-align: center; font-size: 1.2em;">04859</div> <div style="text-align: center; font-size: 0.8em;">PATENT TRADEMARK OFFICE</div>																											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">Name</td> <td colspan="2">William J. Clemens, Esq.</td> </tr> <tr> <td colspan="4">Address</td> </tr> <tr> <td>City</td> <td></td> <td>Zip Code</td> <td></td> </tr> <tr> <td>Country</td> <td>Telephone</td> <td>Fax</td> <td></td> </tr> <tr> <td colspan="2">Name (print/type)</td> <td>Registration No. (Attorney/Agent)</td> <td></td> </tr> <tr> <td colspan="2">Signature <i>William J. Clemens</i></td> <td>Date</td> <td>March 11, 2004</td> </tr> </table>				Name		William J. Clemens, Esq.		Address				City		Zip Code		Country	Telephone	Fax		Name (print/type)		Registration No. (Attorney/Agent)		Signature <i>William J. Clemens</i>		Date	March 11, 2004
Name		William J. Clemens, Esq.																									
Address																											
City		Zip Code																									
Country	Telephone	Fax																									
Name (print/type)		Registration No. (Attorney/Agent)																									
Signature <i>William J. Clemens</i>		Date	March 11, 2004																								

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 c:\671\16660.sb05.doc

## Certificate of Mailing by Express Mail

"Express Mail" Mailing Label No. EV 329824687 US Date of Deposit March 11, 2004. I hereby certify that this paper or fee is being deposited in the United States "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

*Terri L. Fox*  
 Terri L. Fox

 19270 U.S. PTO  
 10/798113

031104

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**FEE TRANSMITTAL****For FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

**Complete if known**

Application Number

Filing Date

First Named Inventor

C. David Gordon

Examiner Name

Group/Art Unit

Attorney Docket No.

16660

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 385 )

**METHOD OF PAYMENT (check one)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit

Acct. No.

13-0005

Deposit

Acct. Name

MacMillan, Sobanski, &amp; Todd, LLC

The Commissioner is authorized to: (Check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this action☐ Charge fee(s) indicated below, except the filing fee, to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1)** \$ 385**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra	Below	Fee Paid
17	20** = 0	18/9 =	
Independent Claims 3	3** = 0	x 86/43 =	
Multiple Dependent		x 290/145 =	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$ 0

\*\* or number previously paid, if greater; for Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting a publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within 1 <sup>st</sup> month	
1252	420	2252	210	Extension for reply within 2 <sup>nd</sup> month	
1253	950	2253	475	Extension for reply within 3 <sup>rd</sup> month	
1254	1,480	2254	740	Extension for reply within 4 <sup>th</sup> month	
1255	2,010	2255	1,005	Extension for reply within 5 <sup>th</sup> month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

\$ 0

**SUBMITTED BY**

Typed or

Printed Name

William J. Clemens

Signature



Date March 11, 2004

**Complete (if applicable)**

Reg. No.

26,855

Deposit Account

User ID

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor C. David Gordon

Title Toothbrush Assembly with Toothpaste Dispenser

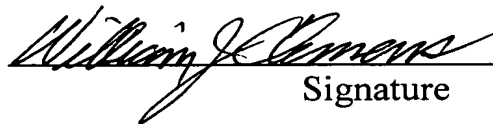
Atty Docket Number 16660

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires the publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 11, 2004

Date



Signature

734/542-0900

Telephone Number

William J. Clemens

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the U. S. Patent and Trademark Office to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing and submitting the completed application form to the U. S. Patent and Trademark Office. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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